

REMARKS/ARGUMENTS

Claims 1 - 3, 5 - 11 and 13 - 21 are re-presented. Claims 4 and 12 are cancelled.

A correction to the first page of the specification has been made to correct a typographical error.

Claims 1 - 3, 5, 6, 8 - 11, 13 - 18 and 21 were rejected under 35 U.S.C. 102(b) as anticipated by Rogers (U.S. Patent No. 3,244,443). The independent claims 1 and 14 have been amended to include the limitation of adhesive attaching the plate not shown in Rogers.

Regarding claims 5 and 13, these claims call for a single screw at the end of the elongated arm. This makes it possible to mount the door stop without tools as the screw is integrally formed and axially aligned, as called out in claim 13. The device of Rogers requires two screws thus leaving more marks in the structure and requiring additional parts and tools to install. The key to the improvements of the present invention is to build a door stop that is cheap to manufacture, easy to install and to remove, and that requires a minimum of parts in manufacture and installation. The limitation of a single screw disposed on the end of the elongated arm and aligned with the elongated arm contributes to that overall result.

Claims 7 and 19 were rejected under 35 U.S.C. 103 as unpatentable over Rogers. Rogers fails to show a rectangular plate. The plate of Rogers is circular and includes tangs 26. Examiner argues that changing the shape is considered within the level of one having ordinary skill as the change brings about no new or unobvious results. However, the goal of the current invention is to make a door stop that is as simple in structure as possible. The flat rectangular plate, as disclosed and claimed, is as simple a plate as possible. The rectangular plate contributes to the overall result of a cheap to manufacture and easy to install door stop that requires a minimum of parts, a minimum of steps to manufacture, and a minimum of steps to install requiring a minimum (none) of tools to install. Raw metal is usually supplied in rectangular flat sheets, thus a flat rectangular

plate is the easiest to manufacture requiring a single cutoff as opposed to the plate of Rogers that would require a multi-step blank, cut and form operation to form the complex plate shown by Rogers. Thus, the shape contributes to the overall new and non-obvious results.

Claims 4 and 12 were rejected under 35 U.S.C. 103 as unpatentable over Rogers in view of Smith (U.S. Patent No. 5,611,110). Claims 4 and 12 have been cancelled but the limitations of the adhesive attachment has been added to independent claims 1 and 9. The adhesive again contributes to the overall result of a door stop that is easy to manufacture and that requires no tools to install. The adhesive also gives the unexpected benefit that the plate is easy to locate on the door. Once the arm is screwed into the wall at any location, the door can be opened into the end and the plate simply stuck to the point where the arm hits the door making misalignment of the plate relating to the arm almost impossible. Alternatively, the plate can be installed by magnetically attaching it to the arm and then swinging the door into the arm such that the adhesive will stick the plate in the correct spot on the door. Either way the plate is easy to install with no tools and no measuring or marking required. All the other prior art including Rogers and Smith require marking and/or measuring during installation because of the number of pieces and because of the tools required for installation.

Examiner modifies Rogers in view of Smith to show an adhesive in a door related application. While Smith teaches the use of adhesives as an alternative to nails in some applications it fails to teach or show the overall results of an easy to manufacture and install door stop. The device of Smith requires that a hole be marked and cut in the wall prior to installation.

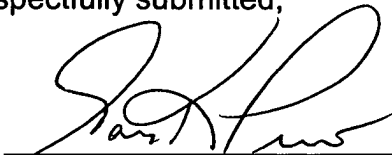
For these reasons, it is felt that all claims are now in condition for allowance.

CONCLUSION

Based on the remarks above it is felt that claims 1 - 3, 5 - 11, and 13 - 21 are now in condition for allowance.

In the event the Examiner wishes to discuss any aspect of this response, please contact the undersigned at the telephone number identified below.

Respectfully submitted,

by: 

Gary K. Price, #45,024

BOWERS HARRISON, LLP
GARY K. PRICE, ESQ
25 N W RIVERSIDE DRIVE
PO BOX 1287
EVANSVILLE, IN 47706-1287
TELEPHONE: (812) 426-1231
FACSIMILE: (812) 464-367

M:\DOCS\PUBLIC\63070\MISC\294855.doc
11924.001